

IFW

**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 10/600,298  
Filing Date: June 20, 2003  
First Named Inventor: Julian N. Nikolchev, et al.  
Examiner's Name: Michael A. Brown  
Art Unit: 3772  
Attorney Docket No.: 006701.P002XC4

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☒ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action (Total 13 pages)
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer(s) (reminder: if executed by an attorney, the attorney must be property of record)
- ☒ Information Disclosure Statement (IDS) (Total 4 pages)
- ☒ Copies of IDS citations (Copies of references numbered: 16 - 28)
- ☐ Petition for Extension of Time (included on last page of Office Action response)
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☒ Check(s) # 9929 in the amount of \$180.00 (IDS filing fee)
- ☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: James C. Scheller, Jr.

SIGNATURE: \_\_\_\_\_

REG. NO.: 31,195

DATE: \_\_\_\_\_

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on:

March 1, 2007

Date of Deposit

Cathi L.G. Thoorsell

Name of Person Mailing Correspondence

Cathi L.G. Thoorsell

Signature

March 1, 2007

Date

**Send to:**

COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/10/03)

**FEE TRANSMITTAL FOR FY 2007**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 180.00

Complete if Known:

Application No. 10/600,298  
 Filing Date June 20, 2003  
 First Named Inventor Julian N. Nikolchev  
 Examiner Name Michael A. Brown  
 Art Unit 3772  
 Attorney Docket No. 006701.P002XC4

☒ Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)  
☐ Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>		<u>Fees Paid (\$)</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>			
1011	300	2011	150	Utility application filing fee	} 1,000/500	Paid _____
1111	500	2111	250	Utility search fee		Paid _____
1311	200	2311	100	Utility examination fee		Paid _____
1012	200	2012	100	Design application filing fee	} 430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
<b>SUBTOTAL (1) \$</b>						<b>Paid</b> _____

**2. EXCESS CLAIM FEES**

		<u>Extra Claims</u>	<u>Fee from</u> <u>below</u>	<u>Fees Paid (\$)</u>
<b>Total Claims</b>	<u>70</u>	<b>After amendment =</b> <u>0</u>	X <u>25.00</u>	= <u>Paid</u>
HP = highest number of total claims paid for, if greater than 20				
<b>Independent Claims</b>	<u>23</u>	<b>After amendment =</b> <u>0</u>	X <u>100.00</u>	= <u>Paid</u>
HP = highest number of independent claims paid for, if greater than 3				
<b>Multiple Dependent Claims</b>			<u>0</u>	= <u>0</u>

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
<u>Fee</u> <u>Code</u>	<u>Fee</u> <u>(\$)</u>	<u>Fee</u> <u>Code</u>	<u>Fee</u> <u>(\$)</u>	
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ Paid**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l</u> <u>50 or fraction thereof</u>	<u>Fee from</u> <u>below</u>	<u>Fees paid (\$)</u>
<u>          </u>	- 100 = <u>          </u>	/ 50 = <u>          </u> (round up to whole number)	X <u>          </u>	<u>          </u>

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description: Application size fee for each additional group of 50 sheets</u> <u>beyond initial 100 sheets (count spec &amp; drawings except sequences &amp; program listings):</u>
<u>Fee</u> <u>Code</u>	<u>Fee</u> <u>(\$)</u>	<u>Fee</u> <u>Code</u>	<u>Fee</u> <u>(\$)</u>	
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

				<b>Fees Paid (\$)</b>	
Non-English Specification, \$130 fee (no small entity discount)					
<b>Large Entity</b>		<b>Small Entity</b>			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	\$180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
				<b>SUBTOTAL (4)</b>	<b>\$ 180.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: James C. Scheller, Jr.

Signature: [Signature] Date: 3/1/2007

Reg. Number: 31,195 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Docket No. 006701.P002XC4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Julian N. Nikolchev, *et al.*

Examiner: Michael A. Brown

Application No.: 10/600,298

Art Unit: 3772

Filed: June 20, 2003

For: CONTRACEPTIVE TRANSCERVICAL  
FALLOPIAN TUBE OCCLUSION  
DEVICES AND METHODS

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

\_\_\_\_\_ 37 C.F.R. §1.97(b).

03/06/2007 AADOF01 00000001 10600298  
01 FC:1886

180.00 0P

X 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

\_\_\_\_\_ A statement pursuant to 37 C.F.R. §1.97(e) or

X A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

\_\_\_\_\_ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

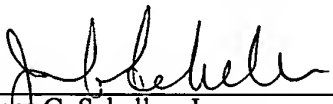
- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$ \_\_\_\_\_ for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 3/1, 2007

  
\_\_\_\_\_  
James C. Scheller, Jr.  
Reg. No. 31,195

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

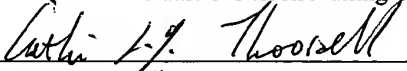
**FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))**

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Date of Deposit

Cathi L.G. Thoorsell

Name of Person Mailing Correspondence

  
\_\_\_\_\_  
Signature

March 1, 2007  
\_\_\_\_\_  
Date

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor:	Julian N. Nikolchev
Art Unit	3772
Examiner Name	Michael A. Brown
Attorney Docket No.	006701.P002XC4

Sheet 1. MAR 05 2007 of 2

**U.S. PATENT DOCUMENTS**

Exmnr Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
/MB/	1.	3,895,634		7-22-1975	Berger et al.	
	2.	4,846,834		7-11-1989	Von Recum et al.	
	3.	5,147,353		9-15-1992	Everett et al.	
	4.	5,330,483		7-19-2004	Heaven et al.	
	5.	5,411,549		5-2-1995	Peters	
	6.	5,630,797		5-20-1997	Diedrich et al.	
	7.	5,662,712		9-2-1997	Pathak et al	
	8.	5,743,905		4-28-1998	Eder et al.	
	9.	5,749,915		5-12-1998	Slepian	
	10.	5,876,398		3-2-1999	Mulier et al.	
	11.	5,925,059		7-20-1999	Palermo et al.	
	12.	6,187,027		2-13-2001	Mariant et al.	
	13.	2005/0045183		3-3-2005	Callister et al.	
	14.	2005/0192616		9-1-2005	Callister et al.	
	15.	2005/0217680		10-6-2006	Callister et al.	

**FOREIGN PATENT DOCUMENTS**

Exmnr Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
/MB/	16.	EP	0541258 A1		05-12-1993	Bacich et al.		
	17.	WO	96/22122 A1		7-25-1996	Diedrich et al.		
	18.	WO	96/40024 A1		12-19-1996	Nikolchev et al.		
	19.	WO	97/27893		08-07-1997	Transvascular, Inc.		
	20.	WO	97/46175 A1		12-11-1997	Medtronic, Inc.		

Examiner  
Signature

/Michael Brown/

Date  
Considered

06/09/2007

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for Form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		Application Number	10/600,298
		Filing Date	June 20, 2003
		First Named Inventor:	Julian N. Nikolchev
		Art Unit	3772
		Examiner Name	Michael A. Brown
Sheet 2.	MAR 05 2007	of 2	Attorney Docket No. 006701.P002XC4

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
/MB/	21.	Ovion's, Inc.'s <u>Ovion's Reply to Amended Counterclaims of Conceptus; Demand for Jury Trial</u> , Case No -02-3884, filed in U.S. District Court Northern District of California, executed October 25, 2002; with Proof of Service, pages 1-12.	
	22.	PCT Notification of Transmittal of the International Search Report or the Declaration PCT/US96/07486 dated Sept. 5, 1996, 5 pages.	
	23.	PCT Written Opinion PCT/US96/07486 dated May 19, 1997, 4 pages.	
	24.	PCT Notification of Transmittal of the International Preliminary Examination Report, PCT/US96/07486 dated September 8, 1997.	
	25.	PCT Written Opinion, PCT/US98/20031 dated August 31, 1999, 4 pages.	
	26.	PCT Notification of Transmittal of the International Search Report, PCT/US98/20031 dated January 20, 1999, 5 pages.	
	27.	PCT Notification of Transmittal of International Preliminary Examination Report, PCT/US98/20031 dated June 30, 2000, 5 pages.	
	28.	VANCAILLIE, et al. "A New Method of Transcervical Female Sterilization: Preliminary Results in Rabbits," Fertility and Sterility Vol. 51, No. 2, February 1989, pages 335-338.	

Examiner Signature	/Michael Brown/	Date Considered	06/09/2007
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0100 (1-800-786-0100) and select option 2.